IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

THURSDAY, THE 21ST JUNE 2007 / 31ST JYAISHTA 1929

CRL.A.No. 283 of 2004()

AGAINST THE ORDER IN CRLP.109/2004 Dated 12/02/2004
CC.81/1997 of JUDL.MAGISTRATE OF FIRST CLASS, AMABALAPUZHA

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APPELLANT: PETITIONER/COMPLAINANT:

TOMCY ANTONY, S/O. VARKEY,
ANPATHILCHIRA VEEDU, KODUPUNNA MURI,
EDATHUA VILLAGE.

BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)

RESPONDENTS: ACCUSED:

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1. MANOJ MATHEW, S/O. M.J. MATHEW,
MEKKALATHU VEEDU, POONJAR THEKKU MURI,
POONJAR VILLAGE.

2. STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

R1-BY ADV. SRI.S.RAJEEV
R2-BY P.P.SRI.PUZHAKKARA MUHAMMED

THIS CRIMINAL APPEAL HAVING BEEN FINALLY HEARD
ON 21/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K. THANKAPPAN, J.

CRL.A.NO.283 OF 2004-B

Dated this the 21st day of June, 2007.

JUDGMENT

This is an application for withdrawal of the appeal. It is stated that a suit was already pending regarding some amount recovered by a cheque and the matter was settled out of court. In the above circumstances, the appellant may be permitted to withdraw the appeal.

As per Section 257 of the Code of Criminal Procedure, a complaint can be withdrawn with an application or on an oral request. If so, the 1st respondent/accused shall stand acquitted. In the above circumstances, the appeal stands dismissed confirming the judgment of the trial court.

K. THANKAPPAN, JUDGE.

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